

## SIDE LETTER AGREEMENT

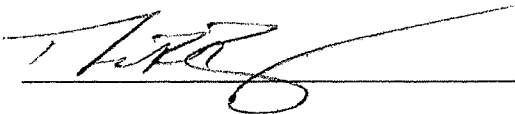
City of Encinitas/San Dieguito Water District and Service Employees International  
Union, Local 221

This Side Letter Agreement to the July 1, 2019 to June 30, 2023 Memorandum of Understanding between the City of Encinitas/San Dieguito Water District and Service Employees International Union, Local 221 (SEIU) is effective August 25, 2021.

Representatives for the City/District and SEIU met and conferred regarding the effects of the City/District decision to implement COVID-19 protocols beginning August 25, 2021. The COVID-19 protocols mandate COVID-19 vaccinations beginning 45 days of approval by United States Food and Drug Administration (FDA), have an emergency use authorization (EUA) from the FDA, or, for people fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO). Also, unvaccinated employee shall be regularly tested for COVID-19.

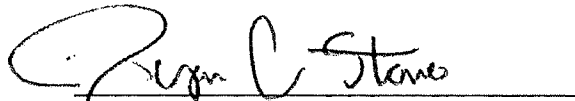
The COVID-19 Protocols (Exhibit 1) is added to the City's administrative policies, which set the guidelines and procedures that will be followed regarding mandatory COVID-19 vaccinations and testing.

For City/District

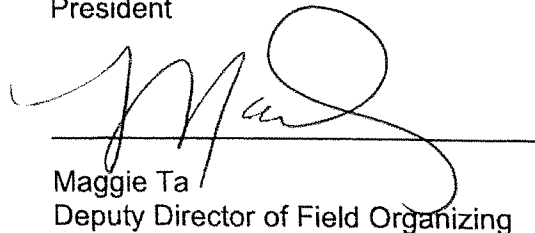


Tom Bokosky  
Human Resources Director

For SEIU

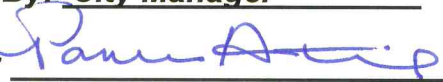


Ryan Stone  
President



Maggie Ta  
Deputy Director of Field Organizing

## **ADMINISTRATIVE MANUAL**

**Policy Title:** COVID -19 Protocols                      **Section:** Personnel  
**Responsible Department:** Human Resources                      **Number:** P048  
**Approved By:** City Manager                      **Originally Approved:** 8/25/2021  
**Signature:**                       **Last Amended:** NA

### **1.0. Philosophy**

Many of our employees work with the public and have regular contact with persons who could be classified as vulnerable, and the City of Encinitas/San Dieguito Water District are firmly committed to the health and safety of its employees and the public we serve. According to the California Department of Public Health, COVID-19 vaccines are effective in reducing infection and serious disease.

In furtherance of this commitment, all City/District employees shall either:

1. Provide documentation that they are fully vaccinated, or
2. Show a negative COVID-19 test at least weekly.

Further, COVID-19 vaccinations shall be mandatory for all employees beginning 45 days following FDA approval of a COVID-19 vaccine.

### **2.0. Methods**

#### **TESTING**

Vaccines must be approved by the United States Food and Drug Administration (FDA), have an emergency use authorization (EUA) from the FDA, or, for people fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).

An employee is fully vaccinated after 14 days of receiving either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. The employee shall provide documentation of vaccination and receive all recommended booster vaccinations thereafter.

Vaccinated employees shall provide documentation to any Human Resources representative. Acceptable documentation includes a copy of a valid vaccination card, or other form of documentation from a vaccine provider containing the date(s) the vaccine was administered and the name of the vaccine manufacturer. If an employee has lost proof of vaccination, they may request a digital COVID-19 vaccine record here: <https://myvaccinerecord.cdph.ca.gov/>.

If an employee is not vaccinated or declines to inform the City whether they are vaccinated, the employee shall undergo testing up to two times per week for the SARS-CoV-2 virus (the virus that causes COVID-19), or variants thereof, that is approved by the FDA, or has an EUA from the FDA to diagnose current infection with the SARS-CoV-2 virus or variant, and is administered in accordance with the FDA approval or the FDA Emergency Use Authorization.

If an employee has a positive test result, the City shall follow all procedures consistent with Cal/OSHA regulations, Title 8 C.C.R. section 3205, for quarantine and contact tracing.

Employees who must quarantine may use available COVID leave, if any, or their own IPP, vacation, or other available leave to remain in paid status.

Employees shall be provided one hour during their normal work shift to attend a City-sponsored testing center or an authorized testing center of their choice to the satisfaction of the City.

## **VACCINATIONS**

Employee must provide Human Resources a completed COVID-19 Vaccination Attestation/Authorization for Disclosure and Use of Medical Information Form (Attachment 1) and documentation they have received the first dose of a two-dose vaccination for COVID-19 or a single dose vaccine beginning 45 days of FDA approval (no later than October 7, 2021) of a COVID-19 vaccination. Thereafter, all employees must also receive all FDA recommended booster vaccinations.

Also, full COVID-19 vaccinations shall be a condition of employment for new employees and required for all volunteers and contractors who regularly perform services at City facilities.

Any City employee who violates this policy shall be disciplined for cause in accordance with an applicable memorandum of understanding, and the City's Disciplinary Procedure Policy - P023, up to and including termination.